

• ORIGINAL •

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(49)  
6/28/01

FILED  
HARRISBURG, PA  
JUN 27 2001

MARY E. D'ANDREA, CLERK  
Per \_\_\_\_\_ Deputy Clerk

TERRANCE MONTAGUE, :  
Plaintiff :  
: No. 1:CV-00-0895  
v. :  
: (Magistrate Judge Smyser)  
ROBERT W. MEYERS, et al., :  
Defendants :  
:

**DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME**

Pursuant to Rule 6 of the Federal Rules of Civil Procedure, defendants, by their attorneys, move the Court for leave to submit the documents in support of their motion for summary judgment on or before July 11, 2001. In support hereof, defendants state as follows:

1. This is a civil action for injunctive relief and damages brought pursuant to 42 U.S.C. §1983.
2. By orders dated August 1, 2000 and January 9, 2001, the Court established the deadline of July 1, 2001 for all dispositive motions and supporting documents.
3. Concurrently herewith defendants have filed a motion for summary judgment.
4. Due to the unavailability of material witnesses, however,

defendants are unable to submit declarations and other supporting documents by the July 1 deadline.

5. Defendants anticipate being able to do so during the week of July 2, 2001, and no later than July 11, 2001.

6. The grant of defendants' request for a brief enlargement of time to submit supporting documents will not unduly delay disposition of the motion for summary judgment nor cause prejudice to the plaintiff.

7. Defendants will endeavor to submit the supporting documents in advance of July 11, 2001, if at all possible.

Wherefore, defendants' motion for enlargement of time should be granted.

Respectfully submitted,

**D. MICHAEL FISHER**  
**Attorney General**

By:

  
**GREGORY R. NEUHAUSER**  
**Senior Deputy Attorney General**

**SUSAN J. FORNEY**  
**Chief Deputy Attorney General**  
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**DATE: June 27, 2001**

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CERTIFICATE OF SERVICE

I, GREGORY R. NEUHAUSER, Senior Deputy Attorney General for the Commonwealth of Pennsylvania, Office of Attorney General, hereby certify that on June 27, 2001, I caused to be served a true and correct copy of the foregoing document **Defendants' Motion for Enlargement of Time** by depositing it in the United States mail, first-class postage prepaid to the following:

Terrance Montague, BZ-2761  
SCI-Rockview  
Box A  
Bellefonte, PA 16823-0820

  
\_\_\_\_\_  
GREGORY R. NEUHAUSER  
Senior Deputy Attorney General